

JOSEPH P. RUSSONIELLO (CSBN 44332)
 United States Attorney
 JOANN M. SWANSON (CSBN 88143)
 Chief, Civil Division
 MICHAEL T. PYLE (CSBN 172954)
 Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102
 Telephone: (415) 436-7322
 Facsimile: (415) 436-6748
 Email: michael.t.pyle@usdoj.gov

Attorneys for Defendant Office of Management and Budget

Deborah A. Sivas (CSBN 135446)
 ENVIRONMENTAL LAW CLINIC
 MILLS LEGAL CLINIC
 Stanford Law School
 Crown Quadrangle
 559 Nathan Abbot Way
 Stanford, CA 94305-8610
 Telephone: (650) 723-0325
 Facsimile: (650) 723-4426

Justin Augustine (CSBN 235561)
 Vera Pardee (CSBN 106146)
 CENTER FOR BIOLOGICAL DIVERSITY
 351 California Street, Suite 600
 San Francisco, CA 94104
 Phone: (415) 436-9682
 Facsimile: (415) 436-9683

Attorneys for Plaintiff Center for Biological Diversity

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

CENTER FOR BIOLOGICAL
 DIVERSITY, a non-profit organization,
 Plaintiff,
 v.
 THE OFFICE OF MANAGEMENT AND
 BUDGET,
 Defendant.

No. C 07-4997 MHP

**STIPULATION AND ~~PROPOSED~~
 ORDER REGARDING BRIEFING
 SCHEDULE FOR REMAINDER OF
 CASE**

WHEREAS the current schedule for the disposition of this case involves the filing of cross-motions for summary adjudication regarding the "ARMS Documents" on February 9, 2009 and opposition briefs on February 23, 2009 followed by a cross-briefs seeking summary adjudication regarding the "EXCHANGE Documents" on March 14, 2009, with a hearing on the motions regarding both the ARMS and EXCHANGE Documents on March 23, 2009 at 2:00 p.m.

IT IS HEREBY STIPULATED by and between the undersigned, subject to the approval of the Court, that the briefing schedule be amended such that the parties would file cross-motions for summary adjudication regarding the ARMS Documents on or before February 27, 2009 and file briefs on or before March 13, 2009 that would address any opposition to the motions filed on February 27, 2009 and also seek summary adjudication with regard to the EXCHANGE documents. OMB will produce a revised *Vaughn* index and declarations in connection with the EXCHANGE documents to CBD by March 1, 2009. The reason for this stipulation is that the parties believe that the existing briefing schedule can and should be made more efficient for both the parties and the Court.

Respectfully submitted,

DATED: February 4, 2009

By: /s/
 VERA PARDEE
 Attorneys for Plaintiff

 JOSEPH P. RUSSONIELLO
 United States Attorney

DATED: February 4, 2009

By: /s/
 MICHAEL T. PYLE
 Assistant United States Attorney
 Attorneys for Defendant

PURSUANT TO STIPULATION, IT IS SO ORDERED:

The parties shall file cross-motions for summary adjudication regarding the ARMS Documents on or before February 27, 2009 (instead of February 9, 2009) and file briefs on or before March 13, 2009 that would address any opposition to the motions filed on February 27, 2009 (instead of February 23, 2009) and also seek summary adjudication with regard to the

1 EXCHANGE documents. OMB shall produce a revised *Vaughn* index and declarations in
2 connection with the EXCHANGE documents to CBD by March 1, 2009. The hearing on the
3 motions regarding the ARMS and EXCHANGE documents will be held on March 23, 2009 at
4 2:00 p.m.

5
6 DATED: February 6, 2009

